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contd A2

5. (Amended) A Polymorph according to claim 1, which provides an X-ray powder diffraction (XRPD) pattern substantially in accordance with Figure IV and/or Table II.

6. (Amended) A Polymorph according to claim 1, in isolated form.

7. (Amended) A Polymorph according to claim 1, in pure form.

8. (Amended) A Polymorph according to claim 1, in crysalline form.

A3

14. (Amended) A method for the treatment and/or prophylaxis of diabetes mellitus, conditions associated with diabetes mellitus and certain complications thereof, in a human or non-human mammal which comprises administering an effective, non-toxic, amount of Polymorph according to claim 1 to a human or non-human mammal in need thereof.

REMARKS

The above-identified application is being entered into the National Phase from PCT application No. PCT/GB00/01522.

Applicants have amended the claims to put them in conformity with U.S. practice. Attached hereto is a marked up version of the changes made to the specification and claims by the current amendment. The attached page is captioned **"Version with markings to show changes made."**

No new matter has been introduced.

Respectfully submitted,

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the Specification:

An abstract has been added.

In the Claims:

Claims 11-13 have been canceled.

1. (Amended) A polymorphic form of 5-[4-[2-(N-methyl-N-(2-pyridyl)amino)ethoxy]benzyl]thiazolidine-2,4-dione, maleic acid salt (the Polymorph) [characterized in that it provides:] comprising:

(i) an infra red spectrum containing peaks at 1752, 1546, 1154, 621, and 602 cm^{-1}; and/or

(ii) a Raman spectrum containing peaks at 1751, 1243 and 602 cm^{-1}; and/or

(iii) a solid-state nuclear magnetic resonance spectrum containing peaks at 111.9, 114.8, 119.6, 129.2, 134.0, 138.0, 144.7, 153.2, 157.1, 170.7, 170.7, 172.0 and 175.0 ppm; and/or

(iv) an X-ray powder diffraction (XRPD) pattern which gives calculated lattice spacings of 6.46, 5.39, 4.83, 4.68, 3.71, 3.63, 3.58, and 3.48 Angstroms.

3. (Amended) A Polymorph according to claim 1 [or claim 2], which provides a Raman spectrum substantially in accordance with Figure II.

4. (Amended) A Polymorph according to [any one of] claim[s] 1 [to3], which provides a solid-state nuclear magnetic resonance spectrum substantially in accordance with Figure III and/or Table I.

5. (Amended) A Polymorph according to [any one of] claim[s] 1 [to 4], which provides an X-ray powder diffraction (XRPD) pattern substantially in accordance with Figure IV and/or Table II.

6. (Amended) A Polymorph according to [any one of] claim[s] 1 [to 5], in isolated form.

7. (Amended) A Polymorph according to [any one of] claim[s] 1 [to 6], in pure form.

8. (Amended) A Polymorph according to [any one of] claim[s] 1 [to 7], in crysalline form.

14. (Amended) A method for the treatment and/or prophylaxis of diabetes mellitus, conditions associated with diabetes mellitus and certain complications thereof, in a human or non-human mammal which comprises administering an effective, non-toxic, amount of Polymorph according to claim 1 to a human or non-human mammal in need thereof.